REMARKS

This letter is responsive to the final office action dated September 16, 2008 for which a response was due December 16, 2008. Accordingly, this response is accompanied by a request for a two-month extension of time along with the required fees.

In addition, this response is being filed together with a Request for Continued Examination (RCE). The Applicants respectfully submit that the claims fully distinguish over the prior art cited to date by the Examiner and further examination is respectfully requested.

Claims 1-7, 9, 11-19, 21, 23-25, and 27-31 remain in the application.

Claim Amendments

Claims 1-3, 6-7, 9, 13-19, 21, 25 and 27 have been amended in this Response. Claims 8, 10, 20, 22 and 26 have been cancelled. Claims 28-31 are new.

Specifically, claims 1 and 13 have been amended to recite that the mobile reader comprises a wireless transmitter for initiating transmission of the arrival and departure times and the first-read and last-read machine readable location identification codes to a remote server immediately after each time is determined. Support for this amendment can be found in paragraphs 32, 34 and 35 of the present application as filed.

Claims 2 and 14 have been amended to recite that the remote server determines the location information from the first-read and last-read machine readable location identification codes and adds the location information determined from the first-read and last-read machine-readable location identification codes to the

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service information data. Support for this amendment can be found in paragraph 34 of the present application as filed.

Claims 3 and 15 have been amended to recite the mobile reader receives identification information for the person which is subsequently transmitted to the remote server by the wireless transmitter and added to the service information data on the remote server upon receipt. Support for this amendment can be found in paragraphs 33 and 39 of the present application as filed.

Claims 6 and 18 have been amended to recite that the remote server determines the task identification information from the first-read and last-read machine readable task identifiers, and adds the determined task identification information to the service information data. Support for this amendment can be found in paragraphs 40 - 43 of the present application as filed.

Claims 7 and 19 have been amended to recite providing a plurality of machine readable task identifiers at the location wherein each of the plurality of machine readable task identifiers is associated with a different task. Support for this amendment can be found in paragraphs 40 – 43 of the present application as filed.

Claims 9 and 21 have been amended to clarify that the arrival time and the departure time are stored in the memory immediately after they are generated. Support for this amendment can be found in paragraph 36 of the present application as filed.

Claim 16 has been amended to clarify that it is the remote server that comprises the searching module. Support for this amendment can be found in paragraph 39 of the present application as filed.

Claim 17 has been amended to clarify that it is the remote server that comprises the report generation module. Support for this amendment can be found in paragraph 39 of the present application as filed.

Claim 21 has been amended to remove reference to the time keeper which has been added to amended claim 13.

Claim 25 has been amended to specify that recorded on the recording medium are instructions for receiving an arrival time, a departure time, a first-read machine-readable location identification code and a last-read machine-readable location identification code and storing the arrival time, departure time and associated location information on the recording medium. Support for this amendment can be found in paragraph 38 of the present application as filed.

Claim 27 has been amended to correct a typographical error.

Claims 28 and 29 have been added to recite that initiating transmission to the remote sever includes transmission to the remote sever. Support for this amendment can be found in paragraphs 32, 34 and 35 of the present application as filed.

Claims 30 and 31 have been added to recite upon receiving the arrival time at the remote server, determining a first receipt time, and generating an alert when the difference between the arrival time and the first receipt time is greater than a predetermined threshold. Support for this amendment can be found in paragraphs 34 and 38 of the present application as filed. Specifically, paragraph 38 states that "the time [the scan time] can be compared with the time that the barcode data arrived at the server 112 as determined by the time module 128." In addition, paragraph 34 states that "[o]ptionally, server 112a will record the time at which this barcode 103a was received."

Claim Rejections – 35 U.S.C. § 103

Claims 1-5, 8-17 and 20-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,311,423 to Clark hereinafter referred to as Clark, in view of U.S. Patent No. 4,011,434 to Hockler hereinafter referred to as Hockler.

In addition, claims 6, 7, 10-12, 18 and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Clark in view Hockler, further in view of U.S. Patent No. 3,648,243 to Wiggins hereinafter referred to as Wiggins.

These rejections are respectfully traversed for the reasons set out below.

Detailed Reply to Claim Rejections

Claim 1

(i) Clark and Hockler do not disclose clauses e) and g) of amended claim 1

The Applicants submit that Clark, and Hockler either alone or in combination do not disclose all of the features of amended claim 1. Specifically, neither Clark, nor Hockler disclose a mobile reader comprising a wireless transmitter. Furthermore, neither Clark, nor Hockler disclose clauses e) and g) of amended claim 1. Specifically, neither Clark nor Hockler disclose "immediately after the arrival time is determined in step (c), initiating transmission of the first-read machine readable location identification code and the arrival time to a remote server using the wireless transmitter" or "immediately after the departure time is determined in step (f), initiating transmission of the last-read machine readable

location identification code and the departure time to the remote server using the wireless transmitter" as recited in amended claim 1.

The Examiner has conceded on page 6 of the Office Action that neither Hockler nor Clark explicitly teach a reader comprising a wireless transmitter that transmits the arrival time and the departure time to a storage device. However, it is the Examiner's position that the inclusion of a wireless transmitter to the badge reader/recorder 101 of Hockler or the portable scanner 74 of Clark is obvious.

The Applicants submit that regardless of whether or not it would have been obvious to add a wireless transmitter to the badge reader/recorder 101 of Hockler or the portable scanner 74 of Clark, neither Hockler nor Clark disclose or suggest "immediately after the arrival time is determined in step (c), initiating transmission of the first-read machine readable location identification code and the arrival time to a remote server using the wireless transmitter" or "immediately after the departure time is determined in step (f), initiating transmission of the last-read machine readable location identification code and the departure time to the remote server using the wireless transmitter."

As recited in paragraph 35 of the present application as filed, one of the advantages of immediately initiating transmission of the arrival and departure times to the remote server is that "real-time tracking of a worker at a location can be provided." More specifically, as described in paragraphs 59 and 60 of the present application as filed, a client of the system may run a report at any time on any of the service information data including tasks, location, start time, end time, actual time spent at a location, and worker information. Neither Hockler nor Clark disclose or suggest a system that allows such real-time tracking of workers.

Specifically, Hockler discloses a system for tracking the coming and going of employees, similar to the punch-card systems of old. Rather than using paper

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cards, the elapsed time worked and other payroll data is recorded on portable magnetic-striped cards, which employees carry and insert into fixed stand-alone terminals (i.e. badge reader/recorder unit 101) as they arrive and depart their work location. These terminals read the data on the card, then update the data based on whether the employee is signing in or out. At the end of the pay period the cards are collected and put through a data reduction terminal which reads the data on the cards.

Regardless of whether it would have been obvious to add a wireless transmitter to the badge reader/recorder unit 101 of Hockler, Hockler does not disclose initiating transmission of arrival and departure times to a remote server. The badge reader/recorder 101 of Hockler is designed to read information from a portable magnetic-stripe card carried by an employee and modify information on the card based on the read information (See Col. 4, Lines 7-16 of Hockler).

The Applicants submit that the portable magnetic-striped card cannot be equated to the remote server of claim 1. First, at the time the badge reader/recorder 101 writes data to the magnetic-striped card the magnetic-striped card cannot be considered "remote". In particular, at the time the data is written to the swipe card by the badge reader/recorder 101, "the magnetic-stripe of the card is lodged into the terminal" (See Col. 6, Lines 64-68 of Hockler).

Second, the portable magnetic-striped card cannot be considered a server as that term is used in the present application. In particular, the portable magnetic-striped card does not comprise a processing module that is used to add the arrival time and the departure time to the service information data stored on the card storage module as recited in claim 1. In Hockler, it is the badge reader/recorder 101 that adds data on the magnetic-striped card (See Col. 6, Lines 64-68 of Hockler).

In addition, the system disclosed in Hockler is not designed to be a real-time system. Accordingly, there would be no motivation for a person of skill in the art to modify Hockler to initiate transmission of the arrival and departure times in real-time to a remote server. Specifically, in the Hocker system each employee is provided two magnetic stripe cards. The employee uses the first card in a first pay period. The first card is collected at the end of the first pay period and then put through a data reduction terminal for processing. The employee then uses the second card to the end of a second pay period. The second card is then collected and the cycle repeats. Accordingly, there is a delay from the time the data is recorded on the card and when it is put through a data reduction terminal for processing.

Clark discloses a system for managing an inventory of videocassettes for use in an automated broadcasting facility. Specifically, Clark discloses a system in which each videocassette is tagged with a unique printed bar code, and each location where a video cassette might possibly reside (e.g. each drawer or shelf of the videocassette library and each video player) has its own unique location bar code. The bar codes are optically scannable by a portable scanner 74. The portable scanner periodically transfers data logged therein to a computer.

Regardless of whether it would be obvious to add a wireless transmitter to portable scanner 74, Clark does not disclose initiating transmission of an arrival time and a departure time to a remote server immediately after the times are determined as recited in amended claim 1. Specifically, Clark discloses transmitting data logged on the portable scanner 74 to a computer on a *periodic basis*, not as soon as the data becomes available (See Column 16, Lines 62-3 of Clark). As a result, Clark does not explicitly disclose or suggest a system that operates in real-time. In the Clark inventory system there is a lag time from when the portable scanner 74 reads the information and when the information is transferred to computer 64. Therefore, the Clark system does not provide, nor is

it intended to provide, an operator with real-time information about the whereabouts of the videocassettes. This is contrary to the present invention as claimed which is capable of providing real-time information as to the whereabouts of employees.

(ii) Clark and Hockler do not disclose clause h) of amended claim 1

Furthermore, it is submitted that neither Clark, nor Hockler disclose clause h) of amended claim 1. Specifically, neither Clark nor Hockler disclose "adding the departure time to the service information data using the processing module to retrievably store both the departure time and the arrival time in the storage module such that the arrival time and the departure time are independently retrievable from the storage module" as recited in amended claim 1. On Page 5 of the Office Action the Examiner concedes that Clark does not explicitly teach tracking and recording the arrival and departure time of a person at a particular location. However, it is the Examiner's position that this feature is taught by Hockler. Specifically the Examiner points to Column 2, Line 61 to Column 3, Line 2 of Hockler. Furthermore, it is the Examiner's position that it would have been obvious to one of ordinary skill in the art to include the business system of Clark with the ability to track and record the arrival and departure time of a person at a particular location as taught by Hockler since the claimed invention is merely a combination of old elements.

The Applicants submit that Hockler does not disclose step h) of amended claim 1. Specifically Hockler does not disclose "adding the departure time to the service information data using the processing module to retrievably store both the departure time and the arrival time in the storage module such that the arrival time and the departure time are independently retrievable from the storage module." As recited in amended claim 1 the service information data resides in a storage module of the remote server. Accordingly, for Hockler to teach this

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feature it must teach adding the departure time to the service information data on the remote server. The Applicants submit that Hockler does not disclose a remote server. Hockler teaches reading a magnetic-striped card with a badge reader/recorder 101 and then updating the magnetic-striped card based on the information read from the card. For the reasons noted above, the magnetic-striped card of Hockler cannot be understood to be a server.

In addition, even if contrary to the Applicants' position, the magnetic-striped card of Hockler could be understood to be a server, the magnetic-striped card of Hockler never includes both the arrival time and the departure time as recited in claim 1.

According to the system in Hockler, when an employee 'checks' out at the end of a shift, the cumulative hours data stored on the magnetic-striped card is incremented by the difference between the last transaction time recorded on the card and the current time, the last transaction time is overwritten with the current time, and the indicator is changed to signal that the last transaction time is a check-out time. This is shown in Figure 2 of Hockler, where line X represents the data on a blank magnetic-striped card, line Y represents the data stored on the card after the initial check-in, and line Z represents the data after check-out. Accordingly, the magnetic-striped card of Hockler never retrievably stores both an arrival time and a departure time.

Given that for the foregoing reasons, neither Clark, nor Hockler disclose clauses e), g), and h) of claim 1, it is respectfully submitted that amended claim 1 cannot be obtained by combining the teachings of Clark and Hockler.

It is further submitted that claims 2-7, 9, 11-12, 28 and 30 also clear the art cited as these claims depend from allowable claim 1.

Claim 3

It is the Examiner's position that the additional features of claim 3 are disclosed in Hockler. Specifically, on Page 6 of the Office Action, the Examiner states that Hockler teaches storing identification information for the person such that the service information data further comprises the identification for the person.

It is submitted that Hockler does not disclose all of the features of amended claim 3. Specifically, Hockler does not disclose "adding the identification information for the person to the service information data using the processing module" as recited in claim 3. As recited in amended claim 1 the service information data resides in a memory module of the remote server. Accordingly, for Hockler to teach this feature it must teach adding the identification information to the service information data on the remote server. The Applicants submit that Hockler does not disclose a remote server. Hockler teaches reading a magnetic-striped card with a badge reader/recorder 101 and then updating the magnetic-striped card based on the information read from the card. For the reasons noted above, the magnetic-striped card of Hockler cannot be understood to be a remote server.

Accordingly, the Applicants submit that amended claim 3 cannot be obtained by combining the teachings of Clark and Hockler.

Claim 6

It is the Examiner's position that claim 6 is obvious in view of Clark, in view of Hockler and in further view of Wiggins. On Page 7 of the Office Action, the Examiner concedes that neither Clark nor Hockler explicitly teach providing task identifiers associated with the location. However, it is the Examiner's position is that this feature is taught by Wiggins. Specifically the Examiner points to Column 1, Lines 25-42 and Claim 1 of Wiggins. The Examiner's position is that it would

have been obvious to one of ordinary skill in the art to include the business system of Clark and Hockler with the ability to provide task identifiers associated with the location as taught by Wiggins since the claimed invention is merely a combination of old elements.

MPEP § 2143 (A) states that to reject a claim based on this rationale the Examiner must articulate the following:

(1) a finding that the prior art included each element claimed, although not necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference;

(2) a finding that one of ordinary skill in the art could have combined the elements as claimed by known methods, and that in combination, each element merely performs the same function as it does separately;

(3) a finding that one of ordinary skill in the art would have recognized that the results of the combination were predictable; and

(4) whatever additional findings based on the *Graham* factual inquiries may be necessary, in view of the facts of the case under consideration, to explain a conclusion of obviousness.

The Applicants submit that the prior art does not include each element of claim 6. As conceded by the Examiner, neither Clark nor Hockler explicitly teach providing task identifiers associated with the location. It can be extrapolated then that neither Clark nor Hockler disclose "providing at least one machine-readable task identifier at the location, wherein an associated machine-readable location identification code and an associated task identification information are determinable from the at least one machine-readable location identification code" as recited in claim 6. It is submitted that Wiggins also does not disclose this feature.

Specifically, Wiggins teaches a system comprising a plurality of keypad stations, where employees can manually enter time in, time out, and task codes. Users of the system depress an 'in' key and a numerical task code when they begin working on a task, and depress an 'end' key when they finish the task. The time in, time out, and task codes is stored on a standard magnetic or punch paper tape, or fed directly to a computing apparatus.

The Applicants submit that the task codes provided to the employees in Wiggins cannot be considered machine-readable task identifiers. First, the task codes provided to the employees in Wiggins are not machine-readable as recited in claim 1. Specifically, Wiggins discloses having the user manually enter this task code in the remote unit or station 10.

Second, an associated machine-readable location identification code cannot be determined from the Wiggins task codes as recited in claim 1. Specifically, the task codes in Wiggins are not related to a location at all. The tasks are either tied to a specific client or are general tasks that may be performed for any client.

Accordingly, none of the references disclose providing a machine-readable location task identifier as recited in claim 6.

Furthermore, if the Examiner is suggesting that the person of skill in the art could combine the task codes of Wiggins with the location bar codes 70 of Clark to form the machine-readable task identifiers of claim 6, the Applicants submit that if such a combination were obtainable by a person skilled in the art, the elements of the claim would not merely perform the same function as it they do separately. Specifically, the location bar codes 70 of Clark perform the function of providing location information to a scanner (e.g. portable scanner 74) and ultimately to computer 64. The location bar codes 70 do not, and are not intended to, provide

any additional information to the scanner (e.g. portable scanner 74) and the computer 74. By adding task code information to the location bar codes 70 of Clark the location bar codes 70 perform the additional function of providing task information to the scanner (e.g. scanner 74) and computer 74. In addition, the task codes of Wiggins are not intended to be machine-readable; therefore, making them machine readable as suggested by the Examiner changes their function.

Accordingly, the Applicants submit that the rationale that claim 6 is a combination of prior art elements according to known methods to produce predictable results cannot be used to support an obviousness rejection of claim 6.

Claim 13

(i) Clark and Hockler do not disclose a mobile scanner comprising a wireless transmitter for "initiating transmission of the arrival time and first-read machine readable location identification code immediately after the determination of the arrival time, and initiating transmission of the departure time and the last-read machine readable location identification code immediately after determination of the departure time"

The Applicants submit that Clark, and Hockler either alone or in combination do not disclose all of the features of amended claim 13. Specifically, neither Clark, nor Hockler disclose a mobile reader that comprises a wireless transmitter for "initiating transmission of the arrival time and first-read machine readable location identification code immediately after the determination of the arrival time, and initiating transmission of the departure time and the last-read machine readable location identification code immediately after determination of the departure time" as recited in amended claim 13.

As recited in paragraph 35 of the present application as filed, one of the advantages of immediately initiating transmission of the arrival and departure times and the associated first-read and last-read machine readable location identification codes to the remote server is that "real-time tracking of a worker at a location can be provided." More specifically, as described in paragraphs 59 and 60 of the present application as filed, a client of the system may at any time run a report on any of the service information data including tasks, location, start time, end time, actual time spent at a location, and worker information. Neither Clark nor Hockler, either alone or in combination, disclose or suggest a system that allows such real-time tracking of workers.

The Applicants submit that Clark does not disclose a mobile scanner comprising a wireless transmitter for "initiating transmission of the arrival time and first-read machine readable location identification code immediately after the determination of the arrival time, and initiating transmission of the departure time and the last-read machine readable location identification code immediately after determination of the departure time." Clark discloses a portable scanner that is capable of *periodically* downloading stored data on the portable scanner 74 to a computer 64 (See Column 16, Lines 62-3 of Clark). See also Column 26, Line 8 -15 which states:

> "Procedure 1600 is preferably performed periodically by an employee after handling media copies. At a minimum, task 1600 is preferably performed once daily at the end of a work shift. Procedure 1600 performs a task 1602 to display instructions to connect a portable scanner 74 to computer 64 (See FIG. 2). Next, a task 1604 downloads the data logged with portable scanner 74 into computer 64."

As a result, Clark does not explicitly disclose or suggest a mobile scanner that attempts to transmit information in real-time. In the Clark inventory system there

is a lag time from when the portable scanner 74 reads the information and when the information is transferred to computer 64. Therefore, the system disclosed in Clark does not include, nor does it need, a mobile scanner that has the capability of transmitting videocassette location information in real-time.

Hockler also does not disclose a mobile reader comprising a wireless transmitter for "initiating transmission of the arrival time and first-read machine readable location identification code immediately after the determination of the arrival time, and initiating transmission of the departure time and the last-read machine readable location identification code immediately after determination of the departure time." First, the badge reader/recorder 101 of Hocker is not mobile, it is fixed at a particular location.

Second, Hockler does not disclose a first-read or last-read machine readable location identification code. Therefore Hockler cannot disclose a mobile reader comprising a wireless transmitter for "initiating transmission of the arrival time and first-read machine readable location identification code immediately after the determination of the arrival time, and initiating transmission of the departure time and the last-read machine readable location identification code immediately after determination of the departure time."

(ii) Clark and Hockler do not disclose a remote server with storage medium that retrievably stores both the arrival time and the departure time.

Furthermore, it is submitted that neither Clark nor Hockler disclose a storage medium that "retrievably store[s] both the arrival time and the departure time" as recited in amended claim 13. On Page 5 of the Office Action the Examiner concedes that Clark does not explicitly teach tracking and recording the arrival and departure time of a person at a particular location. However, it is the Examiner's position that this feature is taught by Hockler. Specifically the

Examiner points to Column 2, Line 61 to Column 3, Line 2 of Hockler. Furthermore, it is the Examiner's position that it would have been obvious to one of ordinary skill in the art to include the business system of Clark with the ability to track and record the arrival and departure time of a person at a particular location as taught by Hockler since the claimed invention is merely a combination of old elements.

The Applicants submit that Hockler does not disclose a storage medium that "retrievably store[s] both the arrival time and the departure time" as recited in claim 13. As recited in amended claim 13 the service information data resides in a memory module of the remote server. Accordingly, for Hockler to teach this feature it must teach a storage medium of a remote server that retrievably stores both the arrival time and the departure time. The Applicants submit that Hockler does not disclose a remote server. Hockler teaches reading a magnetic-striped card with a badge reader/recorder 101 and then updating the magnetic-striped card based on the information read from the card. For the reasons noted above, the magnetic-striped card of Hockler cannot be understood to be a server.

In addition, even if contrary to the Applicants' position, the magnetic-striped card of Hockler could be understood to be a server, the magnetic-striped card of Hockler never retrievably stores both the arrival time and the departure time as recited in claim 13.

According to the system in Hockler, when an employee 'checks' out at the end of a shift, the cumulative hours data stored on the magnetic-striped card is incremented by the difference between the last transaction time recorded on the card and the current time, the last transaction time is overwritten with the current time, and the indicator is changed to signal that the last transaction time is a check-out time. This is shown in Figure 2 of Hockler, where line X represents the data on a blank magnetic-striped card, line Y represents the data stored on the

card after the initial check-in, and line Z represents the data after check-out. Accordingly, the magnetic-striped card of Hockler never retrievably stores both an arrival time and a departure time.

Given that for the foregoing reasons, neither Clark, nor Hockler disclose all of the features of claim 13, it is respectfully submitted that amended claim 13 cannot be obtained by combining the teachings of Clark and Hockler.

It is further submitted that claims 14-19, 21, 23-24, 29 and 31 also clear the art cited as these claims depend from allowable claim 13.

Claims 25 and 27

The Examiner has rejected claims 25 and 27 on the basis that they are obvious having regard to Clark in view of Hockler. However, the Examiner has not provided any rationale for rejecting claims 25 and 27 on this basis. The only reference to claims 25 and 27 in the Office Action is on page 4 where it is stated that claims 25 and 27 are rejected under 35 U.S. C. 103(a) as being unpatenable over P. Deborah Clark (US 5311423) in view of Hockler (US 4011434).

MPEP § 2141 states that the key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR* noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Court quoting *In re Khan*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006), stated that "'[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.'" *KSR*, 82 USPQ2d at 1396.

Accordingly, if the Examiner elects to maintain her rejection of claims 25 and 27, the Examiner is asked to provide a clear articulation of the reason why the claimed invention would have been obvious.

Claims 28 and 29

The Applicants submit that neither Clark, nor Hockler, nor Wiggins either alone or in combination disclose all of the features of claim 28. Specifically, none of the references cited by the Examiner disclose immediately after the arrival time is determined, "transmitting the first-read machine-readable location identification code and the arrival time to the remote sever" and immediately after the departure time is determined, "transmitting the last-read machine-readable location identification code and the departure time to the remote server" as recited in claim 28.

Specifically, Hockler does not disclose transmitting arrival and departure times to a remote server immediately after the times are determined. The badge reader/recorder 101 of Hockler is designed to read information from a portable magnetic-stripe card carried by an employee and modify information on the card based on the read information (See Col. 4, Lines 7-16 of Hockler).

The Applicants submit that the portable magnetic-striped card cannot be equated to the remote server of claim 28. First, at the time the badge reader/recorder 101 writes data to the magnetic-striped card the magnetic-striped card cannot be considered "remote". In particular, at the time the data is written to the swipe card by the badge reader/recorder 101, "the magnetic-stripe of the card is lodged into the terminal" (See Col. 6, Lines 64-68 of Hockler).

Second, the portable magnetic-striped card cannot be considered a server as that term is used in the present application. In particular, the portable magnetic-striped card does not comprise a processing module that is used to add the arrival time and the departure time to the service information data stored on the card storage module as recited in claim 1. In Hockler, it is the badge reader/recorder 101 that adds data on the magnetic-striped card (See Col. 6, Lines 64-68 of Hockler).

In addition, the system disclosed in Hockler is not designed to be a real-time system. Accordingly, there would be no motivation for a person of skill in the art to modify Hockler to transmit the arrival and departure times in real-time to a remote server. Specifically, in the Hockler system each employee is provided two magnetic stripe cards. The employee uses the first card in a first pay period. The first card is collected at the end of the first pay period and then put through a data reduction terminal for processing. The employee then uses the second card until the end of a second pay period. The second card is then collected and the cycle repeats. Accordingly, there is a delay from the time the data is recorded on the card and when it is put through a data reduction terminal for processing.

Clark also does not disclose transmitting arrival and departure times to a remote server immediately after the times are determined as recited in claim 28. First, as conceded by the Examiner on Page 5 of the Office Action, Clark does not explicitly teach tracking and recording the arrival and departure time of a person at a particular location.

Second, Clark discloses transmitting data logged on the portable scanner 74 to a computer on a *periodic* basis, not as soon as the data becomes available (See Column 16, Lines 62-3 of Clark). As a result, Clark does not explicitly disclose or

suggest a system that operates in real-time. In the Clark inventory system there is a lag time from when the portable scanner 74 reads the information and when the information is transferred to computer 64. Therefore, the Clark system does not provide, nor is it intended to provide, an operator with real-time information about the whereabouts of the videocassettes. This is contrary to the present invention as claimed which is capable of providing real-time information as to the whereabouts of employees.

Furthermore, Wiggins does not disclose determining an arrival time and/or a departure time. Therefore Wiggins also does not disclose transmitting arrival and departure times to a remote server immediately after the times are determined as recited in claim 28.

Given that for the foregoing reasons, neither Clark, nor Hockler, nor Wiggins disclose all of the features of claim 28, it is respectfully submitted that claim 28 cannot be obtained by combining the teachings of Clark, Hockler and Wiggins.

For analogous reasons, the Applicant submits that claim 29 cannot be obtained by combining the teachings of Clark, Hockler and Wiggins.

Claims 30 and 31

The Applicants submit that neither Clark, nor Hockler, nor Wiggins either alone or in combination disclose all of the features of claim 30. Specifically, none of the references cited by the Examiner disclose "generating an alert when the difference between the arrival time and the first receipt time is greater than a predetermined threshold" as recited in claim 30.

As conceded by the Examiner on Page 5 of the Office Action, Clark does not explicitly teach tracking and recording the arrival and departure time of a person at a particular location. Accordingly, Clark does not disclose generating an alert when the difference between the arrival time and the first receipt time is greater than a predetermined threshold.

Hockler does disclose detecting and notifying an employee, of an incorrect transaction selection. For example, should the employee depress the wrong button upon passing the recordation station, the transaction would automatically be rejected and the employee notified of the incorrect selection. However, Hockler does not disclose generating an alert when the difference between the arrival time and the first receipt time is greater than a predetermined threshold.

Wiggins does not disclose determining an arrival time and/or a departure time. Therefore Wiggins also does not disclose generating an alert when the difference between the arrival time and the first receipt time is greater than a predetermined threshold.

Given that for the foregoing reasons, neither Clark, nor Hockler, nor Wiggins disclose all of the features of claim 30, it is respectfully submitted that claim 30 cannot be obtained by combining the teachings of Clark, Hockler and Wiggins.
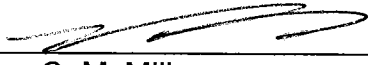
For analogous reasons, the Applicant submits that claim 31 cannot be obtained by combining the teachings of Clark, Hockler and Wiggins.

Conclusion

In view of the foregoing, it is respectfully submitted that the claims clear the cited art. Accordingly, favorable reconsideration and allowance of the present application is respectfully requested.

Respectfully submitted,

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